



## City of Roswell Planning & Zoning Commission Agenda (Page 1 of 2)

**Tuesday, May 23, 2017 at 6:00 PM**

Bassett Auditorium, Roswell Museum and Art Center  
100 West 11<sup>th</sup> Street

Chair: Ralph Brown, Vice Chair: Riley Armstrong, Secretary: Shirley Childress

Members: Toby Gross, David Storey, Kent Taylor, Jesse McDaniel

Current Planning Administrator: Merideth Hildreth, AICP; Planning & Zoning Technician: Miguel Martinez

Planning Manager: William Morris, AICP, CZO; Planning & Engineering Director, Louis Najar, P.E.

- A. Call to Order
- B. Roll-Call
- C. Swearing In
- D. Approval of the Agenda
- E. Approval of the April 25, 2017 Minutes
- F. Public Hearing Items

**CASE 17-008 ZOC: A Request for a change in zoning from R-1 (Residential) to C-2 (Community Commercial);** Legal Description: S: 8 T: 11S R: 24E E2SE4NE4 N 342.87' W 378.70' E 402.21' - S 166.81' N 416.24' W 261.31' E 663.45' PER S15-38 BK 723 PG 1354 WD (CORR) (Owner: Valley Christian Academy, Inc.) Property Address: 1500 South Main Street. **CASE WITHDRAWN IN WRITING ON MAY 5, 2017.**

**CASE 17-009 ZOC: A Request for a change in zoning from R-1 (Residential) to R-3 (Residential);** Legal Description: Subd: EAST VIEW Lot: 37 W 211' S 193' & E 80' W 291' S 133' S: 34 T: 10S R: 24E SW4N24 N 10' E 291' W 321' BK 591 PG 1271 WD JT (Owner: BRITT BOURQUE) Property Address: 1101 North Atkinson Avenue. **EXHIBITS:** (A) Application; (B) Staff Summary;

**CASE 17-010 SUP: A Request for a Special Use Permit for a Bed & Breakfast utilizing the five existing residential structures on the property, a Commercial Kitchen within the primary residential structure, an event planning office, and permission to host events on the property;** Legal Description: Subd: EAST VIEW Lot: 37 W 211' S 193' & E 80' W 291' S 133' S: 34 T: 10S R: 24E SW4N24 N 10' E 291' W 321' BK 591 PG 1271 WD JT (Owner: BRITT BOURQUE) Property Address: 1101 North Atkinson Avenue. **EXHIBITS:** (A) Application; (B) Staff Summary

**CASE 17-011 VAR: A Request for a Variance from Zoning Ordinance to waive the requirement to construct a six foot tall screen fence on the north and east sides of the property;** Legal Description: Subd: EAST VIEW Lot: 37 W 211' S 193' & E 80' W 291' S 133' S: 34 T: 10S R: 24E SW4N24 N 10' E 291' W 321' BK 591 PG 1271 WD JT (Owner: BRITT BOURQUE) Property Address: 1101 North Atkinson Avenue. **EXHIBITS:** (A) Application; (B) Staff Summary

**EXHIBITS SHARED BY CASES 17-009 ZOC, 17-010 SUP, 17-011 VAR** (C) Letter Notifying Surrounding Property Owners; (D) Chaves County Assessor's Map Identifying Properties with the Notification Area; (E) Property Owners Notified

**CASE 17-012 SUP: A Request for a Special Use Permit in I-1 (Light Industrial) for Livestock feed and sales yard, Recycling Activities in a structure with outside storage as a secondary use, and Recycling center with outside storage as a principal use, such as a junk yard.** Legal Description for three lots under this Special Use Permit Request: Subd: WOODS Lot: 1 N 320.20 FT S 390.40 FT AND: Lot: 2 N 30.40 FT S 354.40 FT AND: -Lot: 3 N 312.4 FT S 352.40 FT / W 35 FT N 400 FT AND: -Lot: 10 N 110. FT,,, Quarter: NE S: 33 T: 10S R: 24E BK: 736 PG: 1158 SWD. (Owner: CUSTOM CONSTRUCTION & ROOFING, LLC) Subd: WOOL BOWL INDUSTRIAL PARK Lot: 4 Quarter: NE S: 33 T: 10S R: 24E BK: 697 PG: 386 WD JT. (Owner: BRANDON & AMANDA ARNOLD)Property Address: 4 Wool Bowl Circle. Subd: WOOL BOWL INDUSTRIAL PARK Lot: 3 Quarter: NE S: 33 T: 10S R: 24E BK: 697 PG: 246 REC. (Owner: BRANDON & AMANDA ARNOLD)Property Address: 3 Wool Bowl Circle. **EXHIBITS:** (A) Application; (B) Staff Summary; (C) Letter Notifying Surrounding Property Owners; (D) Chaves County Assessor's Map Identifying Properties with the Notification Area; (E) Property Owners Notified

## **City of Roswell Planning & Zoning Commission Agenda (Page 2 of 2)**

**Tuesday, May 23, 2017 at 6:00 PM**

Bassett Auditorium, Roswell Museum and Art Center  
100 West 11<sup>th</sup> Street

- G. Other Business**
- H. Public Comments**
- I. Adjourn**

Notice of this meeting has been given to the public in compliance with Sections 10-15-1 through 10-15-4 NMSA 1978 and Resolution 16-69.

NOTICE OF POTENTIAL QUORUM – A quorum of the City Council may or may not attend, but there will not be debate by the City Council. The Council, acting as attendees to an informational presentation, will not be discussing public business and no action will be taken.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact Human Resources at 575-624-6700 at least one week prior to the meeting or as soon as possible. Public documents including the agenda and minutes can be provided in various accessible formats. Please contact the City Clerk at 575-624-6700 if a summary or other type of accessible format is needed.

Printed and posted: May 17, 2017



# **DRAFT FOR APPROVAL** **P&Z MEETING MINUTES**

**Tuesday, April 25, 2017 - 6:00 PM**

**Roswell Planning & Zoning Commission**

**Bassett Auditorium, Roswell Museum and Art Center**

**100 West 11<sup>th</sup> Street**

Chair: Ralph Brown, Vice Chair: Riley Armstrong, Secretary: Shirley Childress

Members: Toby Gross, David Storey, Kent Taylor, Jessie McDaniel

Planning Staff: Merideth Hildreth, AICP, Miguel Martinez, William Morris, AICP, CZO

Engineering Staff: Louis Najar, PE

Notice of this meeting was given to the public in compliance with Sections 10-15-1 through 10-15-4, NMSA 1978 and City of Roswell, NM Resolution 16-69.

**A. CALL TO ORDER AND WELCOME – Chair Ralph Brown**

A regular meeting of the Planning & Zoning Commission was called to order at approximately 6:00 p.m. by Chair Brown with the following members present:

**B. ROLL-CALL**

Ralph Brown (Chair)	PRESENT
Riley Armstrong (Vice Chair)	PRESENT
Toby Gross	PRESENT
Shirley Childress	ABSENT
David Storey	PRESENT
Kent Taylor	PRESENT
Jesse McDaniel	PRESENT

**Staff Members Present:** Merideth Hildreth, AICP, Planning & Zoning Administrator; Miguel Martinez, Planning & Zoning Technician; William Morris, AICP, CZO, Planning Manager; Louis Najar, P.E., Director of Planning & Engineering; Joseph Neeb, City Manager.

**Audience Members Present who Signed In:**

Mary Andazola, Virginia Miller, Todd Wagener (Wagener Engineering), James Ellis (The Salvation Army), Joe West (The Salvation Army).

**C. SWEARING IN:** Chair Brown swore in staff and members of the audience.

**D. APPROVAL OF THE AGENDA**

**MOTION to Approve the Agenda as Presented by Commissioner Storey.  
Second by Commissioner Taylor.**

**The motion passed by a voice vote of six to zero.**

**E. MINUTES:** Consider approval of the March 28, 2017 minutes.

**MOTION to Accept the March 28, 2017 Minutes as Written by Commissioner Gross.**

**Second by Commissioner Storey.**

**The motion passed by a voice vote of six to zero.**

---

**F. ACTION ITEMS (PUBLIC HEARING ITEMS):**

1. CASE 17-007 SUP: A Request to establish a home on one or both of these properties for transitional housing for unrelated persons; Legal Description: Subd: WEST SIDE Block: 1 Lot: 13 Quarter: NE S: 32 T: 10S R: 24E BK: 72 PG: 649 AND Lot: 14 Quarter: NE S: 32 T: 10S R: 24E BK: 263 PG: 343 (Owner: SALVATION ARMY.) Lots to be addressed as 1311 N Washington Avenue and 1313 N Washington Avenue.

**Motion to Waive the Reading of the Land Use and Zoning Considerations and Finding of Facts with Respect to Case 17-007 by Commissioner Armstrong.**

**Second by Commissioner Gross.**

**The motion passed by a voice vote of six to zero.**

**Chair Brown: Is there anyone wishing to speak in favor of 17-007?**

**Lt Joe West, Salvation Army: 612 West College Roswell.**

The Salvation Army wants to build a four-bedroom residence for a transitional living home on a lot south of (the Salvation Army building) for men from Roswell and Chaves County who first undergo a six (6) month in-patient drug and alcohol program in Albuquerque. The term of residency for each client is for one year with a level of accountability and adherence to a set of rules in the home while they get established with employment and remain clean.

**Todd Wagener: Office at 1410 N Missouri on the other side of the alley from the Salvation Army property.** It's a residence for rehabilitation and will be a great thing for the community and neighborhood. The residents will probably not have vehicles.

**Virginia Miller resides across the street from The Salvation Army:** Stated she her lot has several residential units and is willing to sell it.

**Chair Brown:** Is there anyone wishing to speak against 17-007?

**Bernice Andazola residing at 1309 N Washington:**

Ms. Andazola stated she is not sure she is for or against. She has lived next door for over thirty (30) years and wants to see information about their lot boundary. She stated she didn't have a problem with the use. She is concerned for her grandchildren and children in the area who catch the bus in the area and her only concern is that no pedophiles will reside on the property.

**A discussion ensued about the property line and the fence between Ms. Andazola's property (Lot 12) and the Salvation Army's property (Lot 13).**

**James Ellis with the Salvation Army 2707 E Van Buren Road in Phoenix, Arizona:** Stated the residence will be built on Lot 14 (the lot closest to The Salvation Army parking lot), and will work with the neighbor regarding clarification of the boundary line and relocation of the fence to the property line.

**Mr. Wagener:** Discussed a recent boundary survey he performed for The Salvation Army and a past survey performed in 1989.

**Commissioner Gross:** Raised the issue of parking spaces required at the residence.

**Mr. West:** Stated The Salvation Army has about forty-five parking spaces where resident's vehicles can be parked, but don't expect the residents to have vehicles.

**Mr. Morris:** Suggested to apply the same standard of two required parking spaces for this residential project.

**Commissioner Storey:** Asked if the lots would need to be consolidated.

**Mr. Morris:** Answered, the lots would remain as two (separate) lots.

**Chair Brown:** Reminded those in attendance that appeals are due to the City Clerk's Office by noon on Thursday, and anything voted on can be appealed to City Council.

---

## **MOTION – 17-007 SUP**

Commissioner Taylor made a motion that based on the evidence presented, testimony here tonight, and the recommendation by staff that we approve Case 17-007 in the application for a Special Use Permit.

Second by Commissioner McDaniel.

The motion passed by a voice vote of six to zero.

---

### **G. OTHER BUSINESS:**

Mr. Najar introduced the City's new City Manager, Joseph Neeb.

Mr. Neeb: Stated he is happy to be here.

Chair Brown: Thanked Mr. Neeb for taking the time to attend the Planning & Zoning Commission Meeting.

### **H. PUBLIC COMMENTS**

None

### **I. ADJOURN**

The meeting adjourned at 6:26 p.m.



# City of Roswell Application for Change of Zoning District

P &amp; Z CASE NO.

17-009 ZOC

DATE:

5.23.2017

Located in

Historic District:

Yes ☒ No

Flood Zone:

X: A0

Type or Print in BLACK or BLUE ink only:

1. Britt Bourque  
Property Owner's Name

Address P.O. Box 727  
City/State/Zip Roswell, NM 88202  
Phone # 575-626-4822

2. \_\_\_\_\_  
Property Owner's Name

Address \_\_\_\_\_  
City/ State/Zip \_\_\_\_\_  
Phone # \_\_\_\_\_

Agent's Name

Address \_\_\_\_\_  
City/ State/Zip \_\_\_\_\_  
Phone # \_\_\_\_\_

Current Zoning District:

R-1

Proposed Zoning District:

R-3

Legal Description of Proposed Zone Change Area: (Lot/Block/Subdivision, Tract, Section-Township/Range)

1101 N. Atkinson Ave. i

Subd: East View lot: 37 W 211' S 193' E 80' W 291'  
S 133' S: 34 T: 10 SR: 24 E SW 4 NW 4 N 10' E 291' W 321' BK 591

Reason for the Request: (Please attach extra sheet if necessary) Pg: 1271 WD JT

The current zoning of R-1 does not conform to the  
present use of the property as multiple family rentals.  
I request a change to R-3. There are 4 rental units  
with a 5th under renovation.

Proposed Zone Change Area:  
(1 acre = 43,560 square foot)

Sq. Ft. \_\_\_\_\_

Acres \_\_\_\_\_

COMPREHENSIVE MASTER PLAN GENERAL DEVELOPMENT PLAN

☒ Residential ☐ Commercial ☐ Industrial ☐ Public ☐ Park & Open Space  
☐ RS Overflight Area

DENSITY RESIDENTIAL:

☐ Low/ approx. 5 du/net acre ☒ Mid/ approx. 9 du/net acre ☐ High/ approx. 15 du/net acre

Quadrant of the

City:  
☒ NW ☐ NE  
☐ SW ☐ SE

SHADED AREA  
FOR STAFF  
ONLY

Specifications listed on Instructional Sheet. All documentation and fees  
required at time application is submitted unless otherwise noted by Planning  
and Zoning Staff. Application Fees are NON-REFUNDABLE.

By signing this document, I acknowledge that I have been informed of the dates, times, and locations of the meetings  
for the Planning and Zoning Commission and City Council and that I and/or my agent shall attend the meetings in  
order to fulfill the requirements of this application.

Britt Bourque

1. Property Owner's Signature

2. Property Owner's Signature

Agent's Signature

Z  
o  
n  
e  
C  
h  
a  
n  
g  
e



**EXHIBIT B: STAFF SUMMARY FOR CASE 17-009 (ZOC)**  
**1101 N ATKINSON AVE**  
**(Page 1 of 4)**

**Roswell Planning & Zoning Commission**

Tuesday, May 23, 2017

Bassett Auditorium, Roswell Museum and Art Center  
100 West 11<sup>th</sup> Street

**APPLICATION: CASE 17-009 (ZOC): A Request for Zone Change from R-1 to R-3**

**Property Location: 1101 North Atkinson Avenue**

**Legal Description:** Subd: EAST VIEW Lot: 37 W 211' S 193' & E 80' W 291' S 133'  
S: 34 T: 10S R: 24E SW4NW4 N 10' E 291' W 321' BK 591 PG  
1271 WD JT

**Owner:** Britt Bourque

**Applicant:** Britt Bourque

**Request:** Request for a change in zoning from R-1 (Residential District) to R-3 (Residential District)

**II. Site Data:**

**Site Area:** Each lot is approximately 1.24 acres  
Lot Frontage (west boundary) approximately 92'  
South boundary approximately 300'

**UPC: 4137061018123000000**

**Existing Land Use:** House used as a dwelling with two separate attached dwelling units, and two separate detached accessory dwelling units.

**Proposed Land Use:** Primary residential unit to be used as the owner's residence, other four residential units to be used as long term residential units and Bed and Breakfast short stay units, proposed construction of a new structure for owner's garage and professional office to conduct rentals/event planning business. Host events such as weddings and parties on the grounds.

**Existing Zoning: R-1**

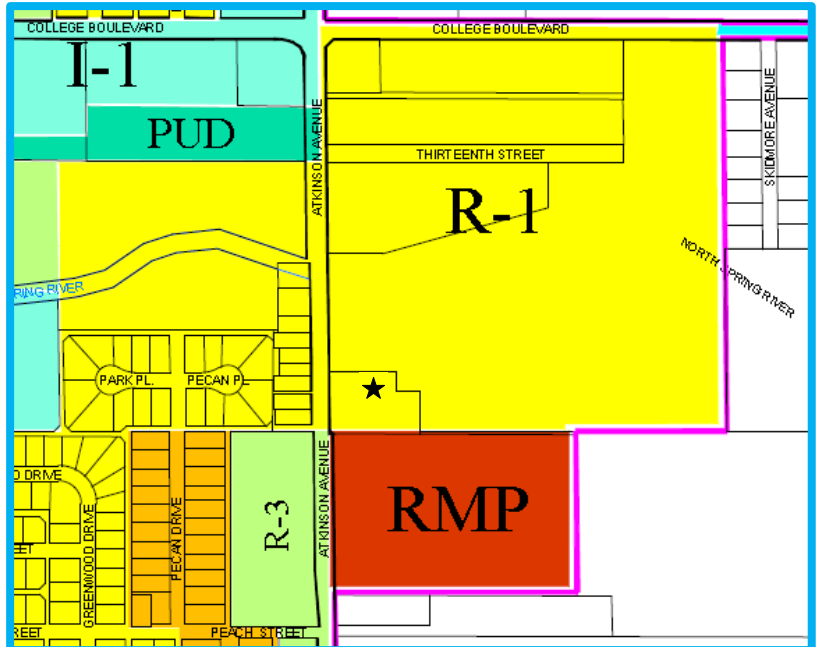
Table 1: Adjacent Existing Land Use and Zoning		
Direction:	Land Use:	Zoning:
North	Spring River Park & Zoo	R-1
South	Mobile Home Community (Thunderbird)	MHC
East	Spring River Park & Zoo	R-1
West	Single Family Residential (on west side of Atkinson Ave)	R-1 R-3 to SW



# EXHIBIT B: STAFF SUMMARY FOR CASE 17-009 (ZOC)

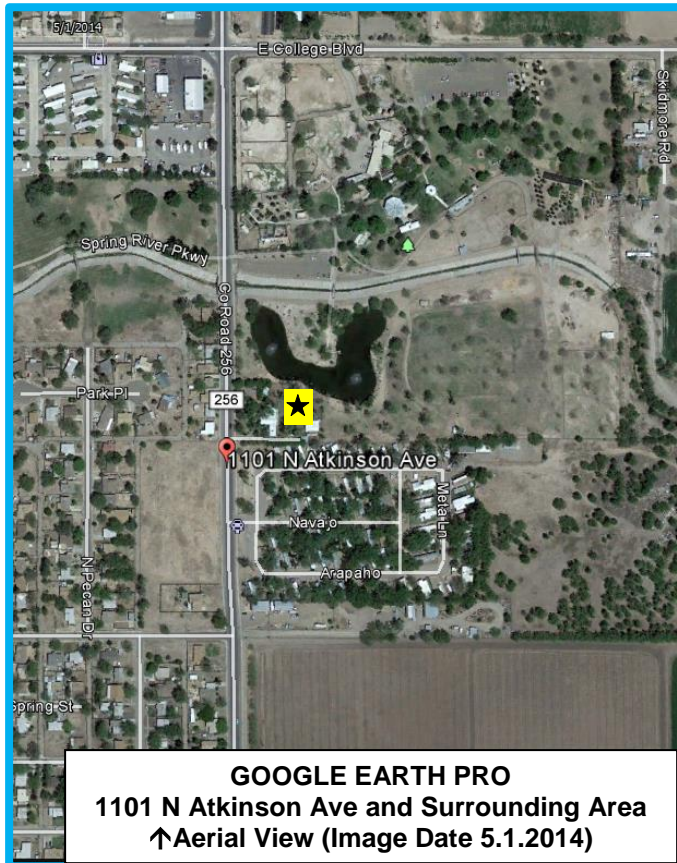
★ 1101 N Atkinson Avenue

(Page 2 of 4)



Chaves County Assessor's Map

Zoning Map -17-009 (ZOC)



↑ Aerial View (Image Date 5.1.2014)

GOOGLE EARTH PRO

1101 N Atkinson Ave

↓ Street View (Image Date 4/2013)



**EXHIBIT B: STAFF SUMMARY FOR CASE 17-009 (ZOC)**  
**1101 N Atkinson Ave Avenue**  
**(Page 3 of 4)**

**III. Intent of Petition:**

The owner of the residential property at 1101 N Atkinson Avenue is requesting a zone change from R-1 to R-3 in order to request a Special Use Permit to conduct a Bed & Breakfast business, establish a professional office on the property for a rental/event planning office, and hold events such as weddings and parties on the grounds. (Reference Zoning Cases 17-010 (SUP) and 17-011 (VAR)).

**IV. Land Use and Zoning Considerations:**

1. The property is located on the east side of North Atkinson Avenue and is adjacent to Spring River Park and Zoo on the property's north and east boundary lines. The property's south boundary line is adjacent to Thunderbird Mobile Home Park which is zoned MHC (Manufactured/Mobile Home Community). Single-Family residential structures in the R-1 (Residential District) are situated directly across Atkinson Avenue on the west side of the street. On the west side of Atkinson Avenue, just south of this R-1 District and within the one-hundred foot notification area is a vacant tract of land zoned R-3.
2. There are currently five (5) dwelling units on the 1.24 acre property which have been used as rental units. The property is not in compliance with the R-1 permitted uses. Rezoning the property to R-3 would bring the property into conformance with the historic use of the property for multiple-dwellings on a lot.
3. The Manufactured Home Park located south of and adjacent to the property is a higher density housing development. R-3 and R-2 zoning districts are typically adjacent to MHC Districts in the City of Roswell.
4. Spring River Park and Zoo is zoned R-1. Based on the activity level, the use of this property, and being open to the public, the park and zoo do not function as an R-1 District.
5. Atkinson Avenue from Brasher Road to Berrendo Road is designated as a Minor Arterial according to the City of Roswell 2015 Comprehensive Master Plan Functional Street Classification Plan. At times, the proposed use of the property as a venue for weddings and parties may generate more vehicular traffic. At times, Spring River Park and Zoo also generate more vehicular traffic. Atkinson Avenue is designed and designated to handle the volume of vehicular traffic generated by these uses. The proposed use is compatible with the street classification.
6. At times, special events and music concerts are held at Spring River Park and Zoo. It is unlikely that the noise level of parties and weddings would have a significant adverse impact on the surrounding residential neighborhoods.

**EXHIBIT B: STAFF SUMMARY FOR CASE 17-009 (ZOC)**  
**1101 N Atkinson Ave Avenue**  
**(Page 4 of 4)**

**V. Findings of Fact (Conclusions of Law):**

1. A notice of the time and place of the public hearing for this case was published in the Roswell Daily Record at least fifteen (15) days prior to the date of this hearing.
2. Notification of the public hearing was mailed via certified mail with return receipt requested to property owners of record, as shown by the Chaves County Assessor, with lots or land within one-hundred (100) feet of the area under consideration, excluding public rights-of-way.
3. This agenda which includes this case has been posted at City Hall and on the City of Roswell's website for over seventy-two (72) hours as required by State of New Mexico law for a public hearing.
4. The rezoning request is compatible with surrounding land uses and existing land uses in the 900 through 1100 blocks of North Atkinson Avenue.
5. As of the time of this writing, there have been zero (0) written and zero (0) verbal protests received by the Planning & Zoning Office.

**VI. Staff Recommendation:**

Based on the findings of fact, the nature of the proposed land use consideration, the surrounding land uses and zoning districts, and the regulations established in the Zoning Ordinance, Staff recommends approval of Zoning Case 17-009 to change the zoning of Lot 37 in EAST VIEW SUBDIVISION known as 1101 North Atkinson Avenue from R-1 (Residential District) to R-3 (Residential District).

**VII. Action by the Planning & Zoning Commission:**

The Planning and Zoning Commission shall make a motion to approve or deny this application based on these Findings of Fact and testimony and material introduced at the hearing. The Planning and Zoning Commission may choose to add conditions to the granting of the Special Use Permit such as hours of operation for parties and events held on the property. The property owner is proposing to construct a six foot tall solid screen fence on the south side of the property adjacent to the Manufactured Home Park. The property owner has submitted a Request for Variance to waive the requirement for a screen fence on the north and east boundaries facing the zoo in order to enjoy the landscape and natural features and scenery. (See Case 17-011).



City of Roswell Application for  
Special Use PermitP & Z CASE NO.  
17-010

DATE:

5.23.2017

Located in Historic

District:

Yes ☒ No

Flood Zone:

X + A0

Type or Print in BLACK or BLUE ink only:

1. Britt Bourque  
Property Owner's NameAddress P.O. Box 727  
City/State/Zip Roswell, NM 88202  
Phone # 575-626-48222. \_\_\_\_\_  
Property Owner's NameAddress \_\_\_\_\_  
City/ State/Zip \_\_\_\_\_  
Phone # \_\_\_\_\_

Agent's Name

Address \_\_\_\_\_  
City/ State/Zip \_\_\_\_\_  
Phone # \_\_\_\_\_

Current Zoning District: (Circle Appropriate District)

R-1 R-2 R-3 R-4 RMS RVP

C-1 C-2 C-3 C-4

I-1 I-2

Requesting  
change to R-3  
CASE 17-009S  
P  
E  
C  
I  
A  
L  
U  
S  
E

Physical Address and Legal Description of Proposed Property Area: (Lot/Block/Subdivision, Tract, Section-Township/Range)

1101 N. Atkinson Ave.

Reason for the Request: (Please attach extra sheet if necessary)

an event-planning office +  
I request a special use permit to have bed & breakfast usage  
in the main house  
and a commercial kitchen for the rental units. I want permission  
to have small weddings and quincineras on the beautiful grounds.

Structure Size in Square Feet

\_\_\_\_\_ X \_\_\_\_\_ = \_\_\_\_\_ Sq. Ft.

Street Name(s) \_\_\_\_\_

Setback Requests for New Construction:

Front ft. Side ft. Rear ft. St. Side ft.

COMPREHENSIVE MASTER PLAN GENERAL DEVELOPMENT PLAN

☒ Residential \_\_\_\_\_ Commercial \_\_\_\_\_ Industrial \_\_\_\_\_ Public  
\_\_\_\_\_ Park & Open Space \_\_\_\_\_ RS Overflight Area

DENSITY RESIDENTIAL:

\_\_\_\_\_ Low/ approx. 5 du/net acre ☒ Mid/ approx. 9 du/net acre  
\_\_\_\_\_ High/ approx. 15 du/net acre

Quadrant of the City:

NW NE  
SW SE

SHADED AREA FOR

STAFF ONLY

Specifications are listed on the Instructional Sheet. All  
documentation and fees shall be required at the time this application  
is submitted, unless otherwise noted by Planning and Zoning Staff.**Application Fees are NON-REFUNDABLE.**By signing this document, I acknowledge that I have been informed of the dates, times, and locations of the meetings for the Planning and Zoning Commission and City Council and that I and/or my agent shall attend the meetings in order to fulfill the requirements of this application.Britt Bourque

1. Property Owner's Signature

2. Property Owner's Signature

Agent's Signature



**EXHIBIT B: STAFF SUMMARY FOR CASE 17-010 (SUP)**  
**1101 N ATKINSON AVE**  
**(Page 1 of 4)**

**Roswell Planning & Zoning Commission**

Tuesday, May 23, 2017

Bassett Auditorium, Roswell Museum and Art Center  
100 West 11<sup>th</sup> Street

**APPLICATION: CASE 17-010 (SUP): A Request for Special Use Permit to use residential units on the property for Bed & Breakfast guest quarters as well as long term rental units; to construct a professional office with an attached garage on the property to be used as the rental/event planning office; to install a commercial kitchen in the main house; and to host weddings, parties, and social events on the grounds.**

**Property Location:** 1101 North Atkinson Avenue

**Legal Description:** Subd: EAST VIEW Lot: 37 W 211' S 193' & E 80' W 291' S 133' S: 34 T: 10S R: 24E SW4NW4 N 10' E 291' W 321' BK 591 PG 1271 WD JT

**Owner:** Britt Bourque

**Applicant:** Britt Bourque

**Request:** Request for a Special Use Permit to utilize existing residential structures for a Bed & Breakfast and long term rentals, commercial kitchen in the main house, professional office for rental and event planning activities, and to host weddings and parties on the grounds.

**II. Site Data:**

**Site Area:** The lot is approximately 1.24 acres  
Lot Frontage (west boundary) approximately 92'  
South boundary approximately 300'

**UPC:** 4137061018123000000

**Existing Land Use:** House is used as a dwelling and has two separate attached dwelling units, and two separate detached accessory dwelling units.

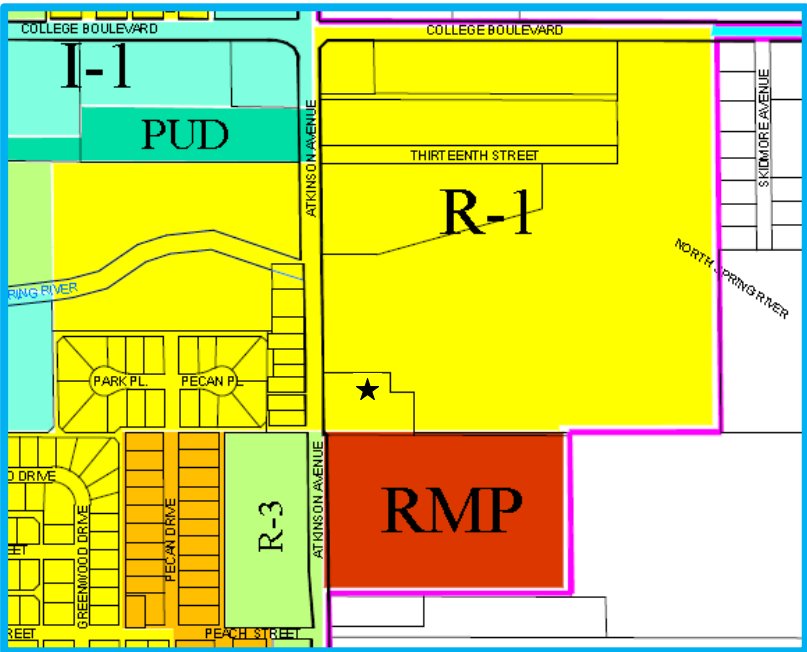
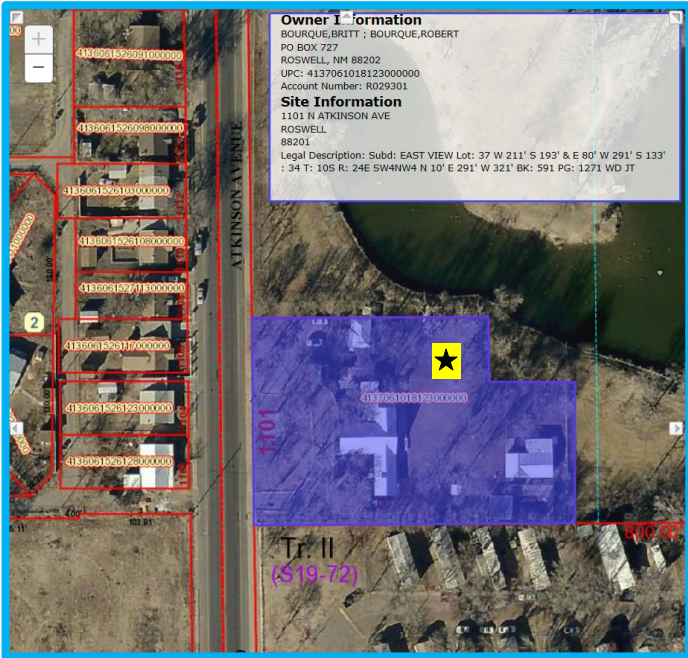
**Proposed Land Use:** Primary residential unit to be used as the owner's residence, other four residential units to be used as long term residential units and Bed and Breakfast short stay units, proposed construction of a new structure for owner's garage and professional office to conduct rentals/event planning business. Host events such as weddings and parties on the grounds.

**Existing Zoning:** R-1

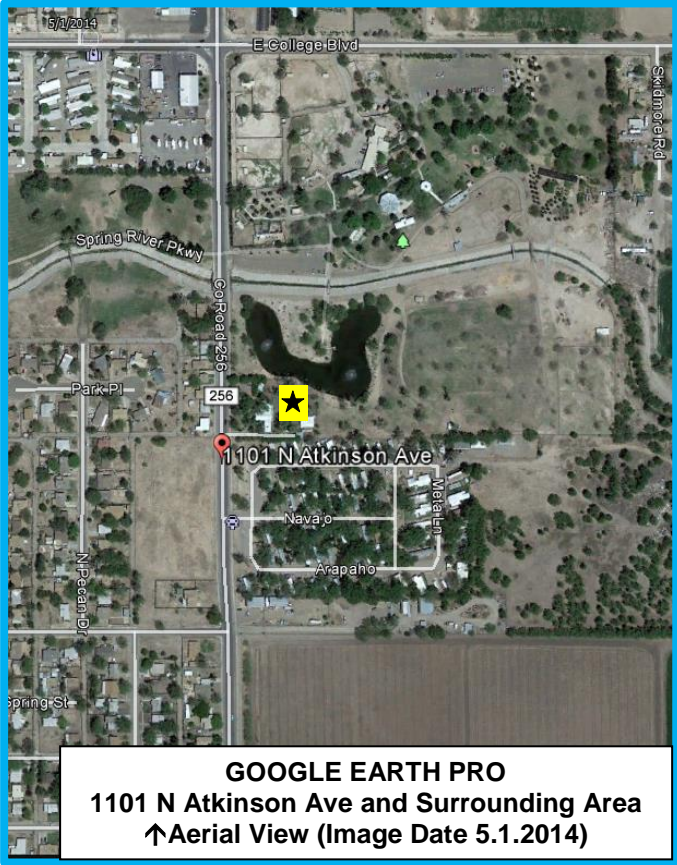
Table 1: Adjacent Existing Land Use and Zoning		
Direction:	Land Use:	Zoning:
North	Spring River Park & Zoo	R-1
South	Mobile Home Community (Thunderbird)	MHC
East	Spring River Park & Zoo	R-1
West	Single Family Residential (on west side of Atkinson Ave)	R-1 R-3 to SW



EXHIBIT B: STAFF SUMMARY FOR CASE 17-010 (SUP)  
★ 1101 N Atkinson Avenue  
(Page 2 of 4)



Chaves County Assessor's Map



Zoning Map – 17-010 (SUP)





**EXHIBIT B: STAFF SUMMARY FOR CASE 17-010 (SUP)**  
**1101 N Atkinson Ave Avenue**  
**(Page 3 of 4)**

**III. Intent of Petition:**

Pending approval of a zone change from R-1 to R-3 (Zoning Case 17-009 ZOC), the owner of the residential property at 1101 N Atkinson Avenue is requesting a Special Use Permit to conduct a Bed & Breakfast business; install a commercial kitchen in the main house; establish a professional office on the property for a rental/event planning office; and hold events such as weddings, parties, and social events on the grounds. (Reference Zoning Cases 17-009 (ZOC) and 17-011 (VAR)).

**IV. Land Use and Zoning Considerations:**

1. The property is located on the east side of North Atkinson Avenue and is adjacent to Spring River Park and Zoo on the property's north and east boundary lines. The property's south boundary line is adjacent to Thunderbird Mobile Home Park which is zoned MHC (Manufactured/Mobile Home Community). Single-Family residential structures in the R-1 (Residential District) are situated directly across Atkinson Avenue on the west side of the street. On the west side of Atkinson Avenue, just south of this R-1 District and within the one-hundred foot notification area is a vacant tract of land zoned R-3.
2. There are currently five (5) dwelling units on the 1.24 acre property which have been used as rental units; and the property owner wishes to continue use of four of the units as long term rental units or Bed & Breakfast short stay rentals while utilizing the primary residential structure as the owner's home.
3. The Manufactured Home Park located south of and adjacent to the property is a higher density housing development. R-3 and R-2 zoning districts are typically adjacent to MHC Districts in the City of Roswell.
4. Spring River Park and Zoo is zoned R-1. Based on the activity level of this public venue as a regional attraction, the keeping of wild and exotic animals, use as a venue for concerts and special events, the park and zoo do not function as a typical activity in a low density residential district. Special events on the adjacent property applying for a Special Use Permit may not pose a significant increase in activity, noise level, or vehicular traffic to what the neighboring properties currently experience.
5. Atkinson Avenue from Brasher Road to Berrendo Road is designated as a Minor Arterial according to the City of Roswell 2015 Comprehensive Master Plan Functional Street Classification Plan. At times, the proposed use of the property as a venue for weddings and parties may generate more vehicular traffic. At times, Spring River Park and Zoo also generates more vehicular traffic. Atkinson Avenue is designed and designated to handle the volume of vehicular traffic generated by these uses. The proposed use is compatible with the street classification.
6. The property has an existing circular drive, therefore vehicles will be able to exit the property facing the street rather than backing onto the street.

**EXHIBIT B: STAFF SUMMARY FOR CASE 17-010 (SUP)**  
**1101 N Atkinson Ave Avenue**  
**(Page 4 of 4)**

**V. Findings of Fact (Conclusions of Law):**

1. A notice of the time and place of the public hearing for this case was published in the Roswell Daily Record at least fifteen (15) days prior to the date of this hearing.
2. Notification of the public hearing was mailed via certified mail with return receipt requested to property owners of record, as shown by the Chaves County Assessor, with lots or land within one-hundred (100) feet of the area under consideration, excluding public rights-of-way.
3. This agenda which includes this case has been posted at City Hall and on the City of Roswell's website for over seventy-two (72) hours as required by State of New Mexico law for a public hearing.
4. The Special Use Request is compatible with surrounding land uses and existing land uses, and the street classification in the 900 through 1100 blocks of North Atkinson Avenue.
5. As of the time of this writing, there have been zero (0) written and zero (0) verbal protests received by the Planning & Zoning Office.

**VI. Staff Recommendation:**

Based on the findings of fact, the nature of the proposed land use consideration, the surrounding land uses and zoning districts, and the regulations established in the Zoning Ordinance, Staff recommends approval of Zoning Case 17-010 for a Special Use Permit on Lot 37 in EAST VIEW SUBDIVISION known as 1101 North Atkinson Avenue to:

- A) Operate a Bed & Breakfast for short stay and long stay rentals in the existing dwelling units on site with the provision that the owner resides in an existing residential structure on site;
- B) Install a commercial kitchen in the main residential structure;
- C) Construct a professional office of less than ten thousand (10,000) square feet on site to conduct rental and event planning activities with one van accessible parking stall and two additional paved parking spaces; and
- D) Hold weddings, parties, and social events on the grounds during certain hours specified by the Planning & Zoning Commission

**VII. Action by the Planning & Zoning Commission:**

The Planning and Zoning Commission shall make a motion to approve or deny this application based on these Findings of Fact and testimony and material introduced at the hearing. The Planning and Zoning Commission may choose to add conditions to the granting of the Special Use Permit such as hours of operation for parties and events held on the property, and parking facilities. The property owner is proposing to construct a six foot tall solid screen fence on the south side of the property adjacent to the Manufactured Home Park. The property owner has submitted a Request for Variance to waive the requirement for a screen fence on the north and east boundaries facing the zoo in order to enjoy the landscape and natural features and scenery. (See Case 17-011).

## EXHIBIT A: APPLICATION 17-011 VAR

City of Roswell Application for  
A Variance

P &amp; Z CASE NO.

17-011 VAR

DATE:

5.23.2017

Located in Historic

District:

Yes ☒ No ☒

Flood Zone:

X + A0

Type or Print in BLACK or BLUE ink only:

1. Britt Bourque  
Property Owner's NameAddress P.O. Box 727  
City/State/Zip ROSWELL, NM 88202  
Phone # 575-626-48222. \_\_\_\_\_  
Property Owner's NameAddress \_\_\_\_\_  
City/State/Zip \_\_\_\_\_  
Phone # \_\_\_\_\_

Agent's Name

Address \_\_\_\_\_  
City/State/Zip \_\_\_\_\_  
Phone # \_\_\_\_\_

Current Zoning District: (Circle Appropriate District)

☒ R-1 ☐ R-2 ☐ R-3 ☐ R-4 ☐ RMS ☐ HMC ☐ RVP

C-1 C-2 C-3 C-4

I-1 I-2

Requesting  
change to R-3  
CASE 17-009Physical Address and Legal Description of Proposed Property Area: (Lot/Block/Subdivision, Tract,  
Section-Township/Range)1101- N. Atkinson Ave. (see Change of zoning  
Application)

Reason for the Request: (Please attach extra sheet if necessary)

I request to build a 6' tall wooden fence  
on the south side of the property adjoining  
the Mobile Home Park. I request a variance  
to NOT build fences on the two sides by  
the 200 because this would block the beautiful  
view of the 200 and the 200 has existing fences.Proposed Variance Area:  
Structure or Addition in Square FeetX \_\_\_\_\_ = \_\_\_\_\_ Sq. Ft.How many feet does the structure encroach into the  
required setback area? \_\_\_\_\_ Ft.

What is the required Setback? \_\_\_\_\_ Ft.

\_\_\_\_\_ Yard OR Structure to Structure

Quadrant of the City:

☒ NW ☐ NE  
☐ SW ☐ SE

SHADED AREA FOR

STAFF ONLY

COMPREHENSIVE MASTER PLAN GENERAL DEVELOPMENT PLAN

☒ Residential ☐ Commercial ☐ Industrial ☐ Public  
☐ Park & Open Space ☐ RS Overflight Area

DENSITY RESIDENTIAL:

☐ Low/ approx. 5 du/net acre ☒ Mid/ approx. 9 du/net acre  
☐ High/ approx. 15 du/net acreSpecifications are listed on the Instructional Sheet. All  
documentation and fees shall be required at the time this  
application is submitted, unless otherwise noted by Planning and  
Zoning Staff.

Application Fees are NON-REFUNDABLE.

By signing this document, I acknowledge that I have been informed of the dates, times, and locations of the meetings  
for the Planning and Zoning Commission and City Council and that I and/or my agent shall attend the meetings in  
order to fulfill the requirements of this application.Britt Bourque

1. Property Owner's Signature

2. Property Owner's Signature

Agent's Signature

V  
A  
R  
I  
A  
N  
C  
E



**EXHIBIT B: STAFF SUMMARY FOR CASE 17-011 (VAR)**  
**1101 N ATKINSON AVE**  
**(Page 1 of 4)**

**Roswell Planning & Zoning Commission**  
Tuesday, May 23, 2017  
Bassett Auditorium, Roswell Museum and Art Center  
100 West 11<sup>th</sup> Street

**APPLICATION: CASE 17-011 (VAR): A REQUEST FOR A VARIANCE**

**Property Location: 1101 North Atkinson Avenue**

**Legal Description:** Subd: EAST VIEW Lot: 37 W 211' S 193' & E 80' W 291' S 133' S: 34 T: 10S R: 24E SW4NW4 N 10' E 291' W 321' BK 591 PG 1271 WD JT

**Owner:** Britt Bourque

**Applicant:** Britt Bourque

**Request:** Request for a Variance to waive the requirement to construct a six foot tall screen fence on the north and east sides of the property

**II. Site Data:**

**Site Area:** Lot is approximately 1.24 acres  
Lot Frontage (west boundary) approximately 92'  
South boundary approximately 300'

**UPC: 4137061018123000000**

**Existing Land Use:** House used as a dwelling with two separate attached dwelling units, and two separate detached accessory dwelling units.

**Proposed Land Use:** Primary residential unit to be used as the owner's residence, other four residential units to be used as long term residential units and Bed and Breakfast short stay units, proposed construction of a new structure for owner's garage and professional office to conduct rentals/event planning business. Host events such as weddings and parties on the grounds.

**Existing Zoning: R-1 (Requesting to Rezone to R-3 under Case 17-009 ZOC)**

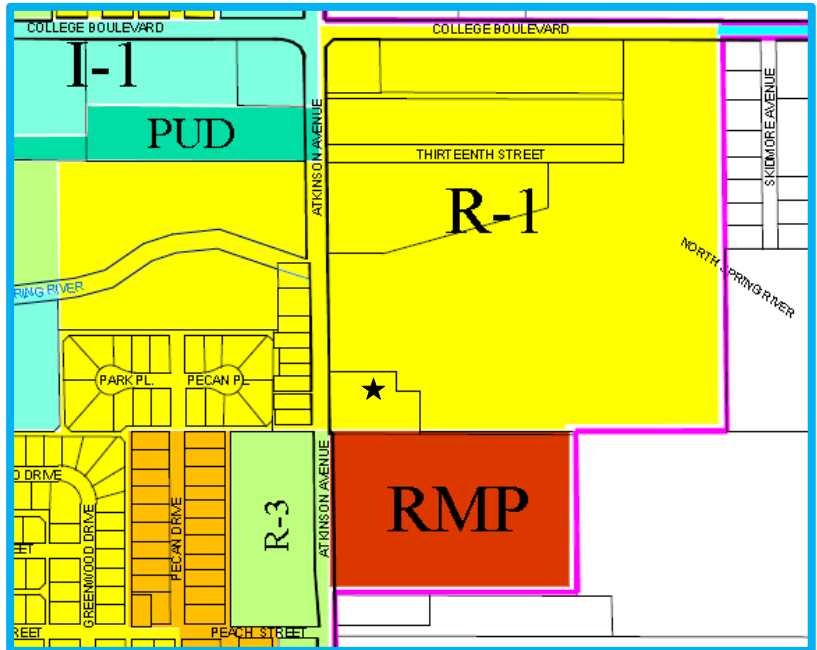
Table 1: Adjacent Existing Land Use and Zoning		
Direction:	Land Use:	Zoning:
North	Spring River Park & Zoo	R-1
South	Mobile Home Community (Thunderbird)	MHC
East	Spring River Park & Zoo	R-1
West	Single Family Residential (on west side of Atkinson Ave)	R-1 R-3 to SW



## EXHIBIT B: STAFF SUMMARY FOR CASE 17-011 (VAR)

★ 1101 N Atkinson Avenue

(Page 2 of 4)



Chaves County Assessor's Map



Zoning Map -17-011 (VAR)



↑ Aerial View (Image Date 5.1.2014)  
 GOOGLE EARTH PRO  
 1101 N Atkinson Ave  
 ↓ Street View (Image Date 4/2013)





**EXHIBIT B: STAFF SUMMARY FOR CASE 17-011 (VAR)**  
**1101 N Atkinson Ave Avenue**  
**(Page 3 of 4)**

**III. Intent of Petition:**

The owner of the residential property at 1101 N Atkinson Avenue is requesting a variance to waive the Zoning Ordinance requirement in the R-3 Zoning District to construct a six foot tall screen fence on the north and east sides of the property. A solid six foot (6') tall screen fence required in the R-3 District for multi-family dwellings, or for Special Uses, and in this case to conduct a Bed & Breakfast business, establish a professional office on the property for a rental/event planning office, and hold events such as weddings and parties on the grounds. (Reference Zoning Cases 17-009 (ZOC) and 17-010 (SUP)).



↑ Street View (Image Date 4/2013)  
GOOGLE EARTH PRO  
Spring River Park & Zoo & 1101 N Atkinson Ave

**IV. Land Use and Zoning Considerations:**

1. The property is located on the east side of North Atkinson Avenue and is adjacent to Spring River Park and Zoo on the property's north and east boundary lines. The property's south boundary line is adjacent to Thunderbird Mobile Home Park which is zoned MHC (Manufactured/Mobile Home Community). Single-Family residential structures in the R-1 (Residential District) are situated directly across Atkinson Avenue on the west side of the street. On the west side of Atkinson Avenue, just south of this R-1 District and within the one-hundred foot notification area is a vacant tract of land zoned R-3.
2. There are currently five (5) dwelling units on the 1.24 acre property which have been used as rental units. The property owner would like to maintain four of these units for both long term rentals and short stay Bed & Breakfast units. (17-010 SUP)
3. The Manufactured Home Park located south of and adjacent to the property is a higher density housing development.



**EXHIBIT B: STAFF SUMMARY FOR CASE 17-011 (VAR)**  
**1101 N Atkinson Ave Avenue**  
**(Page 4 of 4)**

4. Spring River Park and Zoo has water features and is a natural setting with scenic landscapes. This city-owned property has a chain link fence that abuts the property seeking a variance. The property owner seeking a variance from the screened fence requirements would like to maintain the viewshed of Spring River Park and Zoo's scenic landscape and water features instead of blocking it with a screened fence.

**V. Findings of Fact (Conclusions of Law):**

1. A notice of the time and place of the public hearing for this case was published in the Roswell Daily Record at least fifteen (15) days prior to the date of this hearing.
2. Notification of the public hearing was mailed via certified mail with return receipt requested to property owners of record, as shown by the Chaves County Assessor, with lots or land within one-hundred (100) feet of the area under consideration, excluding public rights-of-way.
3. This agenda which includes this case has been posted at City Hall and on the City of Roswell's website for over seventy-two (72) hours as required by State of New Mexico law for a public hearing.
4. As of the time of this writing, there have been zero (0) written and zero (0) verbal protests received by the Planning & Zoning Office.

**VI. Staff Recommendation:**

Based on the findings of fact, the nature of the proposed land use consideration, the surrounding land uses and zoning districts, and the regulations established in the Zoning Ordinance, Staff recommends approval of Zoning Case 17-011 to allow a variance to waive the R-3 Zoning District requirement specifying a six foot (6') tall screened fence on the north and east sides of the property facing Spring River Park and Zoo, with the provision that if the use changes from the current use with the existing structures used as multiple-family dwellings or uses specified in the Special Use Permit under Zoning Case 17-010 a screened fence will be constructed, for Lot 37 in EAST VIEW SUBDIVISION known as 1101 North Atkinson Avenue from R-1 (Residential District) to R-3 (Residential District).

**VII. Action by the Planning & Zoning Commission:**

The Planning and Zoning Commission shall make a motion to approve or deny this application based on these Findings of Fact and testimony and material introduced at the hearing. The Planning and Zoning Commission may choose to add conditions to the granting of the Variance. The property owner is proposing to construct a six foot tall solid screen fence on the south side of the property adjacent to the Manufactured Home Park. (Reference Cases 17-009 ZOC and 17-010 SUP).

**EXHIBIT C: LETTER NOTIFYING SURROUNDING PROPERTY OWNERS FOR  
ZONING CASES 17-009 (ZOC), 17-010 (SUP) 17-011 (VAR) (Page 1 of 2)  
LETTER SENT VIA CERTIFIED MAIL ON MAY 9, 2017 TO SURROUNDING PROPERTY OWNERS**

**City of Roswell**  
**Planning & Engineering Department**  
**Planning & Zoning Office**  
**PO Box 1838**  
**Roswell, NM 88202-1838**  
**Telephone: (575)637-6294 Fax: (575) 637.6277**



**RE: PUBLIC HEARING NOTICE for ZONING CASES 17-009 (ZOC), 17-010 (SUP) 17-011 (VAR)  
Applications for Change in Zoning, Special Use Permit, and Variance**

You have received this notice via certified mail because Chaves County Assessor information indicates you are a property owner of record within 100 feet of Planning & Zoning Cases 17-009 (ZOC), 17-010 (SUP), and 17-011 (VAR).

**ZONING APPLICANT: BRITT BOURQUE**

**PROPERTY OWNER: BRITT BOURQUE**

**PROPERTY LOCATION: 1101 NORTH ATKINSON AVENUE.**

**LEGAL DESCRIPTION: Subd: EAST VIEW Lot: 37 W 211' S 193' & E 80' W 291' S 133' S: 34 T: 10S R: 24E SW4N24 N 10' E 291' W 321' BK 591 PG 1271 WD JT**

**CURRENT ZONING DISTRICT: R-3**

**DESCRIPTIONS OF ZONING APPLICATION REQUESTS:**

**CASE 17-009 (ZOC):**

A Request for a Change in Zoning from R-1 (Residential) to R-3 (Residential).

**CASE 17-010 (SUP):**

A Request for a Special Use Permit for a Bed & Breakfast utilizing the five existing residential structures on the property; Installation of a Commercial Kitchen within the primary residential structure; An event planning office; and Permission to host events on the property.

**CASE 17-011 (VAR):**

A Request for a Variance from the Zoning Ordinance to waive the requirement to construct a six foot tall screen fence on the north and east sides of the property.

The City of Roswell Planning and Zoning Commission will hear public comments on the above case on **TUESDAY, MAY 23, 2017 at 6:00 p.m.**, in the **Bassett Auditorium at the Roswell Museum and Art Center, located at 100 West 11<sup>th</sup> Street**. You are entitled, although not obligated, to comment either in writing to our office or in person at the hearing.

**EXHIBIT C: LETTER NOTIFYING SURROUNDING PROPERTY OWNERS FOR  
ZONING CASES 17-009 (ZOC), 17-010 (SUP) 17-011 (VAR) (Page 2 of 2)**

To be considered, written protests must be submitted to the Planning and Zoning Office no later than noon on the working day prior to the Planning and Zoning Commission meeting. Providing written input to the Planning and Zoning Office at least ten days prior to the hearing will allow your concerns to be addressed in the Staff Report. Written comments may be delivered to the Planning & Zoning Office at 415 North Richardson Avenue, or mailed to: *City of Roswell, Zoning Administrator, PO BOX 1838, Roswell, NM 88202-1838, or via email to [m.hildreth@roswell-nm.gov](mailto:m.hildreth@roswell-nm.gov).*

The information packet for this zoning case will be available after 1:00 p.m., on **Wednesday, May 17, 2017** for viewing online at <http://roswell-nm.gov/AgendaCenter>, or for viewing at the Planning & Zoning Office located on the first floor of City Hall Annex at 415 North Richardson Avenue. Copies of the information packet may be obtained from the Planning and Zoning Office at a cost of 35 cents per sheet. The City's Zoning Ordinance is available online at: <http://roswell-nm.gov/DocumentCenter/View/768>

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact Human Resources at 575-624-6700 at least one week prior to the meeting or as soon as possible. Public documents including the agenda and minutes can be provided in various accessible formats. Please contact the City Clerk at 575-624-6700 if a summary or other type of accessible format is needed.

Respectfully,



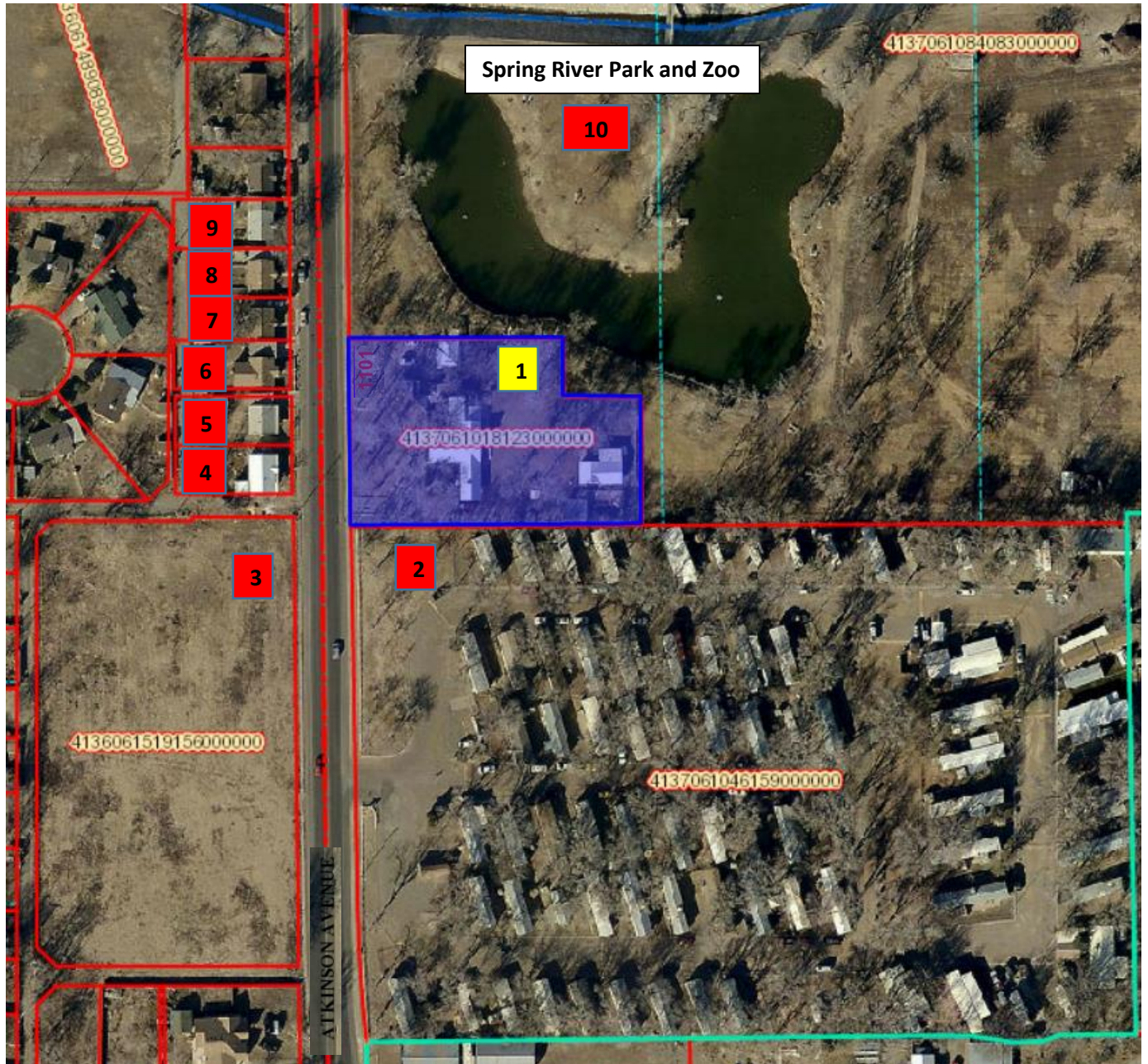
Merideth Hildreth, M.A., AICP  
Planning & Zoning Administrator

**(Area Map on Separate Page – See Exhibit D - Enclosed)**



**EXHIBIT D: ZONING CASES 17-009 (ZOC), 17-010 (SUP), 17-011 (VAR) – CHAVES COUNTY ASSESSOR'S MAP  
IDENTIFYING PROPERTY UNDER CONSIDERATION FOR ZONE CHANGE, SPECIAL USE PERMIT, AND VARIANCE  
AND PROPERTIES WITHIN ONE-HUNDRED FOOT NOTIFICATION AREA**

**Address of Property Under Consideration: 1101 North Atkinson Avenue**  
**LEGAL DESCRIPTION: Subd: EAST VIEW Lot: 37 W 211' S 193' & E 80' W 291' S 133' S: 34 T: 10S R: 24E**  
**SW4N24 N 10' E 291' W 321' BK 591 PG 1271 WD JT**



PROPERTY UNDER CONSIDERATION



PROPERTIES WITHIN NOTIFICATION AREA



**EXHIBIT E: 17-009 ZOC; 17-010 SUP; 17-011 VAR**  
**LIST OF PROPERTY OWNERS NOTIFIED OF PUBLIC HEARING**

**Notified via Certified Mail**

BRITT BOURQUE  
PO BOX 727  
ROSWELL, NM 88202

THUNDERBIRD MOBILE HOME PARK  
C/O THOMAS MANAGEMENT GROUP  
209 CHINOOK  
LAS CRUCES, NM 88007

DANIEL MYER, MANAGER  
THUNDERBIRD MOBILE HOME PARK  
907 N ATKINSON AVE TRL 26  
ROSWELL, NM 88201

JOEL KEENEY & MARIA CALANCHE  
1000 N ATKINSON AVE  
ROSWELL, NM 88201

LOIDA V GARCIA  
PO BOX 44  
HONDO, NM 88336

RANDY & LINDA KOCHEVAR  
144 TIERRA GRANDE BLVD  
ROSWELL, NM 88203

CANDELARIO & RAMONA SANCHEZ  
953 GREENLAND FOREST DR  
MONUMENT, CO 80132

JOSE MANUEL & MELODEE VALENE RODRIGUEZ  
22 E LUPTON RD  
DEXTER, NM 88230

PETE CARRILLO OR OWNER  
1110 N ATKINSON AVE  
ROSWELL, NM 88201

SATERO & BEATRICE MARQUES OR OWNER  
1112 N ATKINSON AVE  
ROSWELL, NM 88201

**Notified via First Class Mail**

OWER OR RESIDENT  
1102 N ATKINSON AVE  
ROSWELL, NM 88201

OWER OR RESIDENT  
1104 N ATKINSON AVE  
ROSWELL, NM 88201

OWER OR RESIDENT  
1106 N ATKINSON AVE  
ROSWELL, NM 88201

OWER OR RESIDENT  
1108 N ATKINSON AVE  
ROSWELL, NM 88201

**P&Z Staff Attended Parks & Recreation  
Commission Meeting on May 15, 2017  
to inform Commissioners of pending zoning  
case at property adjacent to Spring River Park  
& Zoo**

CITY OF ROSWELL  
PO BOX 1838  
ROSWELL, NM 88202



# City of Roswell Application for Special Use Permit

P &amp; Z CASE NO.

17-012

DATE:

Located in Historic

District:

Yes ☒ No ☒

Flood Zone:

X A 40

Type or Print in BLACK or BLUE ink only:

1. Custom Construction & Roofing LLC  
Property Owner's Name

Address 4 Wool Bowl Cir  
City/State/Zip Roswell NM 88201  
Phone # 575-420-5414

2. Brandon Arner  
Property Owner's Name

Address \_\_\_\_\_  
City/ State/Zip \_\_\_\_\_  
Phone # \_\_\_\_\_

Agent's Name

Address \_\_\_\_\_  
City/ State/Zip \_\_\_\_\_  
Phone # \_\_\_\_\_

Current Zoning District: (Circle Appropriate District)

R-1 R-2 R-3 R-4 RMS RVP

C-1 C-2 C-3 C-4

I-1 I-2

SPECIAL USE

Physical Address and Legal Description of Proposed Property Area: (Lot/Block/Subdivision, Tract, Section-Township/Range)

3 & 4 Wool Bowl Circle & adjacent lot to the east

Reason for the Request: (Please attach extra sheet if necessary)

Allow Sheep for weed Control (Sheep & Goats) #3 #7 #8 of special uses in I1 Recycling Activated

Structure Size in Square Feet

\_\_\_\_ X \_\_\_\_ = \_\_\_\_ Sq. Ft.

Street Name(s) \_\_\_\_\_

Setback Requests for New Construction:

Front ft. Side ft. Rear ft. St. Side ft.

COMPREHENSIVE MASTER PLAN GENERAL DEVELOPMENT PLAN

\_\_\_\_ Residential \_\_\_\_ Commercial ☒ Industrial \_\_\_\_ Public  
\_\_\_\_ Park & Open Space \_\_\_\_ RS Overflight Area

DENSITY RESIDENTIAL:

\_\_\_\_ Low/ approx. 5 du/net acre \_\_\_\_ Mid/ approx. 9 du/net acre  
\_\_\_\_ High/ approx. 15 du/net acre

Quadrant of the City:

NW ☒ NE  
SW SE

SHADED AREA FOR

STAFF ONLY

*Specifications are listed on the Instructional Sheet. All documentation and fees shall be required at the time this application is submitted, unless otherwise noted by Planning and Zoning Staff.*

Application Fees are NON-REFUNDABLE.

By signing this document, I acknowledge that I have been informed of the dates, times, and locations of the meetings for the Planning and Zoning Commission and City Council and that I and/or my agent shall attend the meetings in order to fulfill the requirements of this application.

1. Property Owner's Signature

2. Property Owner's Signature

Agent's Signature



**EXHIBIT B: STAFF SUMMARY FOR CASE 17-012 (SUP) Page 1 of 4**  
**3 Wool Bowl Circle, 4 Wool Bowl Circle & adjacent lot to the east**



**Roswell Planning & Zoning Commission**

Tuesday, May 23, 2017

Bassett Auditorium, Roswell Museum and Art Center

100 West 11<sup>th</sup> Street

**APPLICATION: CASE 17-012 (SUP): Special Use Permit to allow sheep and goats for weed control and recycling activities.**

- I. Legal Description:** Subd: WOOL BOWL INDUSTRIAL PARK Lot: 3 Quarter: NE S: 33 T: 10S R: 24E BK: 697 PG: 246 AND Lot: 4 Quarter: NE S: 33 T: 0S R: 24E BK: 697 WD JT AND Subd: WOODS Lot: 1 N 320.20 FT S 390.40 FT AND :- Lot: 2 N 30.40 FT S 354.40 FT AND:- Lot: 3 N 312.4 FT S 352.40 FT / W 35 FT N 400 FT AND:- Lot: 10 N 110.44 FT , , , Quarter: NE S: 33 T: 10S R: 24E BK: 736 PG: 1158 SWD

**Owner:** Brandon Arnold

**Applicant:** Brandon Arnold

- II. Site Address:** 3 Wool Bowl Circle, 4 Wool Bowl Circle, and adjacent lot to the East.

**Request:** Request for Special Use Permit to allow sheep and goats for weed control.

- II. Site data:**

**Site Area:** 3 Wool Bowl Cir: 35,196± square feet; 4 Wool Bowl Cir: 35,196± square feet; adjacent lot to the east: 189,660± square feet

**UPC:** 4136061302060000000; 4136061302041000000; 4136061324060000000

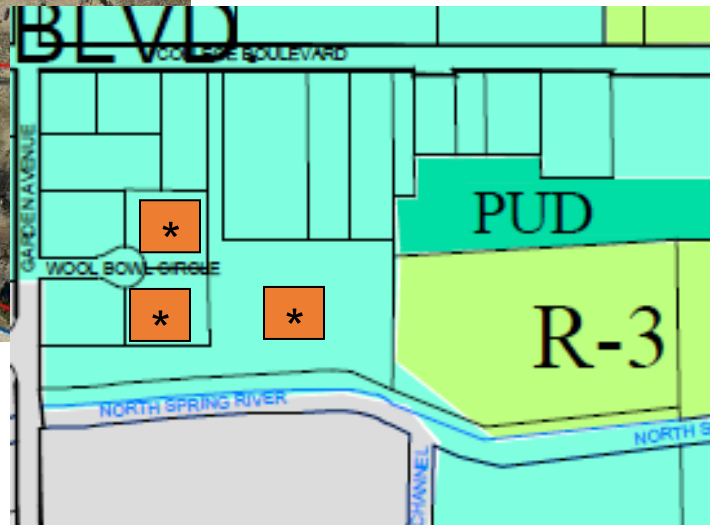
**Existing Land Use:** Custom Construction & Roofing, LLC

**Proposed Land Use:** Allow sheep and goats for weed control and recycling activities.

**Existing Zoning:** I-1

Table 1: Adjacent Existing Land Use and Zoning		
Direction:	Land Use:	Zoning:
North	Fastenal	I-1
South	Industrial Warehouse	I-2
East	Industrial Warehouse Vacant Lot	I-1 R-3 & PUD
West	Roswell Refuge Culligan	I-1 I-1

**EXHIBIT B: STAFF SUMMARY FOR CASE 17-012 (SUP) Page 2 of 4**  
**3 Wool Bowl Circle, 4 Wool Bowl Circle & adjacent lot to the east**



**Chaves County Assessor's Map**  
**CASE 17-012 (SUP)**



**Zoning Map**  
**CASE 17-012 (SUP)**



**EXHIBIT B: STAFF SUMMARY FOR CASE 17-012 (SUP) Page 3 of 4**  
**3 Wool Bowl Circle, 4 Wool Bowl Circle & adjacent lot to the east**

**III. Intent of Petition:**

The applicant is requesting a Special Use Permit to allow goats and sheep for weed control and recycling activities in an I-1 zone.

**IV. Land Use and Zoning Considerations:**

1. The interior lot properties, located at 3 & 4 Wool Bowl Circle and the adjacent lot to the east, are industrial lots within the I-1 Industrial Zoning District.
2. These properties abut an I-1, R-3 and RVP/PUD on the east side. These properties also abut an I-2 Industrial lot on the south side and I-1 Industrial lots are on the west side.
3. City of Roswell Zoning Ordinance ARTICLE 9: I-1 LIGHT INDUSTRIAL DISTRICT states the following: "This district is intended to provide for light manufacturing, fabrication, assembly/disassembly, processing, and treatment activities conducted in a manner not detrimental to the rest of the community by reason of emission or creation of noise, vibration, smoke, dust or other particulate, toxic or noxious materials, odors, fire, explosive hazards, glare, or heat."
4. This use is permitted in I-1 with a Special Use Permit per **Article 18: I-1 Light Industrial District; Section 2: Use Regulations; B.3: Livestock feed and sales yards; 7: Recycling activities in a structure with outside storage as a secondary use. Outside storage to be screened with an 8 foot high solid wall except for access openings, with a maximum opening of 16 feet with a solid gate(s); 8. Recycling center with outside storage as a principal use, such as a junk yard.**
5. The applicant intends to use goats and sheep for weed control and conduct recycling activities.

**V. Findings of Fact (Conclusions of Law):**

1. A notice of the time and place of the public hearing for this case was published in the Roswell Daily Record at least fifteen (15) days prior to the date of this hearing.
2. Notification of the public hearing was mailed via certified mail with return receipt requested to property owners of record, as shown by the Chaves County Assessor, with lots or land within one-hundred (100) feet of the area under consideration, excluding public rights-of-way.

**EXHIBIT B: STAFF SUMMARY FOR CASE 17-012 (SUP) Page 4 of 4**  
**3 Wool Bowl Circle, 4 Wool Bowl Circle & adjacent lot to the east**

3. This agenda which includes this case has been posted at City Hall and on the City of Roswell's website for over seventy-two (72) hours as required by State of New Mexico law for a public hearing.
4. As of the time of this writing, there have been zero (0) written and zero (0) verbal protest received by the Planning & Zoning Office.

**VI. Staff Recommendation:**

Based on the Land Use and Zoning Considerations stated above, Staff recommends approval of this application to allow a Special Use Permit to allow goats and sheep on the property for weed control and recycling activities with the following conditions:

- 1) Animals stay within the proposed lots.
- 2) Must have 8 foot tall solid perimeter fence.
- 3) Recycled materials must remain organized on the lot.
- 4) Lots must remain free of litter and along rights-of-way and fence line along North Spring River easement.

**VII. Action by the Planning & Zoning Commission:**

The Planning and Zoning Commission shall make a motion to approve or deny this application based on these Findings of Fact, information provided in the Staff Summary and packet, testimony and material introduced at the hearing with or without specifying conditions.

**EXHIBIT C: LETTER NOTIFYING SURROUNDING PROPERTY OWNERS FOR CASE 17-012 (SUP)**  
**LETTER SENT VIA CERTIFIED MAIL ON MAY 10, 2017 TO SURROUNDING PROPERTY OWNERS**

**City of Roswell**  
**Planning & Engineering Department**  
Planning & Zoning Office  
PO Box 1838  
Roswell, NM 88202-1838  
Telephone: (575)637-6294 Fax: (575) 637.6277

---



**MAY 9, 2017**  
**RE: PUBLIC HEARING NOTICE for ZONING CASE 17-012 SUP**  
**Application for Special Use Permit**

You have received this notice via certified mail because Chaves County Assessor information indicates you are a property owner of record within 100 feet of **Planning & Zoning Case 17-012 SUP**. The Applicant in this case is requesting a Special Use Permit for the three properties known as 3 Wool Bowl Circle, 4 Wool Bowl Circle and the lot to the east of these two lots to allow goats and sheep on the property for weed control and recycling activities. The applicant requires a Special Use Permit per City of Roswell New Mexico's Zoning Ordinance Number 15-09 Amended July 9, 2015, Article 9: I-1 Light Industrial District, Section 2: Use Regulations, B: Special Uses. 3: Livestock feed and sales yards. 7: Recycling activities in a structure with outside storage as a secondary use. Outside storage to be screened with an 8 foot high solid wall except for access openings, with a maximum opening of 16 feet with a solid gate(s). 8: Recycling center with outside storage as a principal use, such as a junk yard.

**PROPERTY LOCATION: 3 Wool Bowl Circle, 4 Wool Bowl Circle and the lot to the east of these lots.**

**LEGAL DESCRIPTION:** Subd: WOOL BOWL INDUSTRIAL PARK Lot: 3 Quarter: NE S: 33 T: 0S R: 24E BK: 697 PG: 246 REC AND Lot: 4 Quarter: NE S: 33 T: 0S R: 24E BK: 697 WD JT AND Subd: WOODS Lot: 1 N 320.20 FT S 390.40 FT AND :- Lot: 2 N 30.40 FT S 354.40 FT AND:- Lot: 3 N 312.4 FT S 352.40 FT / W 35 FT N 400 FT AND:- Lot: 10 N 110.44 FT , , , Quarter: NE S: 33 T: 10S R: 24E BK: 736 PG: 1158 SWD

**PROPERTY OWNER: Brandon Arnold**  
**APPLICANT:** Brandon Arnold  
**CURRENT ZONING DISTRICT: I-1**

The City of Roswell Planning and Zoning Commission will hear public comments on the above case on **TUESDAY, MAY 23, 2017 at 6:00 p.m.**, in the **Bassett Auditorium at the Roswell Museum and Art Center, located at 100 West 11<sup>th</sup> Street**. You are entitled, although not obligated, to comment either in writing to our office or in person at the hearing.

To be considered, written protests must be submitted to the Planning and Zoning Office no later than noon on the working day prior to the Planning and Zoning Commission meeting. Providing written input to the Planning and Zoning Office at least ten days prior to the

hearing will allow your concerns to be addressed in the Staff Report. Written comments may be delivered to the Planning & Zoning Office at 415 North Richardson Avenue, or mailed to: *City of Roswell, Zoning Administrator, PO BOX 1838, Roswell, NM 88202-1838, or via email to [m.martinez@roswell-nm.gov](mailto:m.martinez@roswell-nm.gov).*

The information packet for this zoning case will be available after 1:00 p.m., on **Wednesday, May 17, 2017** for viewing online at <http://roswell-nm.gov/AgendaCenter>, or for viewing at the Planning & Zoning Office located on the first floor of City Hall Annex at 415 North Richardson Avenue. Copies of the information packet may be obtained from the Planning and Zoning Office at a cost of 35 cents per sheet. The City's Zoning Ordinance is available online at: <http://roswell-nm.gov/DocumentCenter/View/768>

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact Human Resources at 575-624-6700 at least one week prior to the meeting or as soon as possible. Public documents including the agenda and minutes can be provided in various accessible formats. Please contact the City Clerk at 575-624-6700 if a summary or other type of accessible format is needed.

Respectfully,

*Miguel Martinez*

Miguel Martinez  
Planning & Zoning Technician  
**(Area Map on attached page – Exhibit D)**



**EXHIBIT D: CASE 17-012 (SUP) – CHAVES COUNTY ASSESSOR'S MAP  
IDENTIFYING THREE (3) PROPERTIES UNDER CONSIDERATION FOR SPECIAL USE PERMIT  
AND PROPERTIES WITHIN ONE-HUNDRED FOOT NOTIFICATION AREA**

**Properties Under Consideration of Special Use Permit:**

**3 Wool Bowl Circle, 4 Wool Bowl Circle, and the adjacent property to the south and east**

**Legal Description for three lots under this Special Use Permit Request:**

- 1** **Adjacent Lot** Subd: WOODS Lot: 1 N 320.20 FT S 390.40 FT AND: Lot: 2 N 30.40 FT S 354.40 FT AND: - Lot: 3 N 312.4 FT S 352.40 FT / W 35 FT N 400 FT AND: -Lot: 10 N 110. FT,,, Quarter: NE S: 33 T: 10S R: 24E BK: 736 PG: 1158 SWD. (Owner: CUSTOM CONSTRUCTION & ROOFING, LLC)
- 2** **4 Wool Bowl Circle** Subd: WOOL BOWL INDUSTRIAL PARK Lot: 4 Quarter: NE S: 33 T: 10S R: 24E BK: 697 PG: 386 WD JT. (Owner: BRANDON & AMANDA ARNOLD)
- 3** **3 Wool Bowl Circle** Subd: WOOL BOWL INDUSTRIAL PARK Lot: 3 Quarter: NE S: 33 T: 10S R: 24E BK: 697 PG: 246 REC. (Owner: BRANDON & AMANDA ARNOLD)

**PROPERTIES UNDER CONSIDERATION**



**PROPERTIES WITHIN NOTIFICATION AREA**



**EXHIBIT E: 17-012 SUP**  
**LIST OF PROPERTY OWNERS NOTIFIED OF PUBLIC HEARING**

**Notified via Certified Mail**

CUSTOM CONSTRUCTION & ROOFING LLC  
PO BOX 1058  
ROSWELL, NM 88202

BRANDON & AMANDA ARNOLD  
420 TIERRA BERRENDA DR  
ROSWELL, NM 88201

CHAVES, COUNTY OF  
#1 ST MARY'S PLACE  
ROSWELL, NM 88203

P T PRODUCTIONS INC  
PO BOX 344  
ROSWELL, NM 88202

PEREA ROSWELL INVESTMENTS LLLP  
6050 EAST 56<sup>TH</sup> AVENUE  
COMMERCE CITY, CO 80022

AINSWORTH LIVING TRUST; JERRY Z & LIZA  
1011 LAKE ST  
SITKA, AK 99835

THOMAS E JENNINGS  
PO BOX 1797  
ROSWELL, NM 88202-1797

CHAVES COUNTY DOOR & SUPPLY INC  
1212 N GARDEN AVE  
ROSWELL, NM 88201

SLAYTON, PAUL  
PO BOX 2035  
ROSWELL, NM 88202

FARMER BROS CO  
PO BOX 77057  
FORT WORTH, TX 76177

BARNHILL, CLAYTON; BARNHILL, JEANNINE  
PO BOX 2304  
ROSWELL, NM 88202

AMADOR, ROBERT R; AMADOR, PAULINE E  
313 STATE ROAD 399, SPACE #51  
ESPANOLA, NM 87532

ROSWELL INVESTMENT & DEVELOPMENT CO  
6720 E CAMINO PRINCIPAL, SUITE 102  
TUCSON, AZ 85715

SADDLE BARN INC  
1102 N GARDEN AVENUE  
ROSWELL, NM 88201

SADDLE BARN TACK DIST INC  
PO DRAWER 2465  
ROSWELL, NM 88202

**(HAND DELIVERED)**  
CITY OF ROSWELL  
PO BOX 1838  
ROSWELL, NM 88202-1838